

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

BENIHANA OF TOKYO, INC.	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 10-1051 SLR
	)	
BENIHANA INC. and NOODLE	)	
TIME, INC.,	)	
	)	
Defendants.	)	

**STIPULATION AND ORDER FOR EXTENSION OF TIME**

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, through their undersigned counsel, and subject to the approval of the Court, that the time within which Defendants Benihana, Inc. and Noodle Time, Inc. may move, answer or otherwise respond to the amended complaint is extended through and including June 12, 2012. The parties' dialogue is continuing, and they believe that another brief extension may facilitate an amicable resolution.

/s/ Mark R. Owens

Mark R. Owens (#4364)  
Mark.Owens@btlaw.com  
David M. Powlen (#4978)  
David.Powlen@btlaw.com  
BARNES & THORNBURG LLP  
1000 North West Street, Suite 1200  
Wilmington, Delaware 19801  
(302) 888-4536

*Attorneys for Plaintiff*

Dated: May 29, 2012

/s/ Todd A. Coomes

Robert W. Whetzel (#2288)  
Whetzel@rlf.com  
Todd A. Coomes (#4694)  
Coomes@rlf.com  
RICHARDS, LAYTON & FINGER, P.A.  
One Rodney Square  
920 N. King Street  
Wilmington, Delaware 19899  
(302) 651-7700

*Attorneys for Defendants*

**SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
United States District Judge